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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/806,972
Filing Date	March 22, 2004
First Named Inventor	Donovan
Group Art Unit	1645
Examiner Name	Portner, VA
Total Number of Pages in This Submission: 29	Attorney Docket Number: D-3170CONq

ENCLOSURES (*check all that apply*)

- ☒ Fee Transmittal Form *(in duplicate)*
- ☒ Fee Attached
- ☒ Amendment/Reply
- ☒ After Final
- ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Assignment Papers *(for an Application)*
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence
- ☒ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) ____
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) *(please identify below)*

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Frank J. Uxa Registration No. 25,612
Signature	
Date	June 6, 2005

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at fax number 703-872-9306, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Janet McGhee		
Signature	Janet McGhee	Date	June 6, 2005

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FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Application claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 250.00

Complete if Known	
Application Number	10/806,972
Filing Date	March 22, 2004
First Named Inventor	Donovan
Examiner Name	Portner, VA
Art Unit	1645
Attorney Docket No.	D-3170CON

METHOD OF PAYMENT *(check all that apply)*

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): ____

☒ Deposit Account Deposit Account Number 01-0885 Deposit Account Name Frank J. Uxa

For the above-identified deposit account, the Director is hereby authorized to: *(check all that apply)*

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) associated with this communication ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

Subtotal (1) 0

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple Dependent Claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)	Multiple Dependent Claims Fee ($)	Multiple Dependent Claims Fee Paid ($)
____ -20 or HP =	____	x ____	____	____	____

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
____ -3 or HP =	____	x ____	____

HP = highest number of independent claims paid for, if greater than 3

Subtotal (2) 0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
____ -100 =	____	/50= ____ (round up to a whole number)	x ____	= ____

Subtotal (3) ____

4. OTHER FEE(S)

	Fee Paid ($)
☐ Surcharge - Late filing fee or oath/declaration: $130 fee ($65 small entity discount)	
☐ Non-English Specification: $130 fee (no small entity discount)	
☒ 1-month extension of time: $120 fee ($60 small entity discount)	120
☐ 2-month extension of time: $450 fee ($225 small entity discount)	
☐ 3-month extension of time: $1020 fee ($510 small entity discount)	
☐ 4-month extension of time: $1590 fee ($795 small entity discount)	
☐ 5-month extension of time: $2160 fee ($1080 small entity discount)	
☐ Information Disclosure Statement Fee: $180 fee (no small entity discount)	
☐ Notice of Appeal: $500 fee ($250 small entity discount)	
☐ Filing a Brief in Support of Appeal: $500 fee ($250 small entity discount)	
☐ Request for Oral Hearing: $1000 fee ($500 small entity discount)	
☐ Utility Issue Fee: $1400 fee ($700 small entity discount)	
☐ Recording each patent assignment per property (times number of properties): $40 fee (no small entity fee discount)	
☐ Request for Continued Examination: $790 fee ($395 small entity discount)	
☒ Other: Terminal Disclaimer	130.

Subtotal (4) 250.

SUBMITTED BY

Name (Print/Type)	Frank J. Uxa	Registration No. (Attorney/Agent)	25,612	Telephone	949-450-1750
Signature				Date	June 6, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 10/806,972	Confirmation No.	2337
Applicant	: Donovan		
Filed	: March 22, 2004		
Title	: BOTULINUM TOXIN THERAPY FOR NEUROPSYCHIATRIC DISORDERS		
TC/A.U.	: 1600/1645		
Examiner	: Portner, V.A.		
Docket No.	: 17500CON(BOT); D3170-CON		
Customer No.	: 33197		

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this correspondence is being transmitted via facsimile to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to fax number 703-872-9306, on the date indicated below.

June 6, 2005
Janet McElra

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND PETITION FOR ONE MONTH EXTENSION OF TIME

Sir:

This response is being submitted in reply to the Final Office Action of February 8, 2005. A response was due May 8, 2005. Applicant hereby petitions for a one-month extension of time. A response with a one-month extension of time is due June 8, 2005. The Commissioner is hereby authorized to charge the extension of time fee ($120.00) to Deposit Account No. 01-0885. Accordingly, this response is being timely filed. In response to the Office Action, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

PAGE 3/29 * RCVD AT 6/6/2005 12:34:15 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSID: * DURATION (mm-ss):08-46

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